

<b>L.L. Bean, Inc.</b>	)	<b>Departmental</b>
<b>Casco Street Campus</b>	)	<b>Findings of Fact and Order</b>
<b>Cumberland County</b>	)	<b>Air Emission License</b>
<b>Freeport, Maine</b>	)	
<b>A-59-71-J-R/A</b>	)	

After review of the air emissions license application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

## **I. REGISTRATION**

### **A. Introduction**

L.L. Bean, Inc. of Freeport, Maine has applied to renew their Air Emission License permitting the operation of emission sources associated with their Casco Street Campus facility (L.L. Bean).

L.L. Bean has also requested their license be amended to include the following changes:

- Removing Boiler #5 and replacing it with TYBLR #4, TYBLR #5, TYBLR #6, and TYBLR #7.
- Removing Boiler #7 and replacing it with Bld D BLR #2 and Bld D BLR #3.
- Adding three emergency generators.

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B. Emission Equipment

L.L. Bean is authorized to operate the following equipment:

**Fuel Burning Equipment**

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Maximum Firing Rate (gal/hr)</u>	<u>Fuel Type, % sulfur</u>	<u>Stack #</u>
TYBLR #1	6.5	46	#2 Fuel Oil, 0.5%	TYBLR #1
TYBLR #2	6.5	46	#2 Fuel Oil, 0.5%	TYBLR #2
TYBLR #3	6.5	46	#2 Fuel Oil, 0.5%	TYBLR #3
LLBld BLR #1*	0.95	11	Propane	LLBld BLR #1
LLBld BLR #2*	0.95	11	Propane	LLBld BLR #2
LLBld BLR #3*	0.95	11	Propane	LLBld BLR #3
TYBLR #4*	0.24	2.6	Propane	TYBLR #4
TYBLR #5*	0.24	2.6	Propane	TYBLR #5
TYBLR #6*	0.24	2.6	Propane	TYBLR #6
TYBLR #7*	0.24	2.6	Propane	TYBLR #7
CSOC BLR	4.2	30	#2 Fuel Oil, 0.5%	CSOC BLR
Bld D BLR #2	1.49	10.7	#2 Fuel Oil, 0.5%	Bld D BLR #2
Bld D BLR #3	1.49	10.7	#2 Fuel Oil, 0.5%	Bld D BLR #3
TY CAT #1	7.7	55	Diesel Fuel, 0.05%	TY CAT #1
TY CAT #2	7.7	55	Diesel Fuel, 0.05%	TY CAT #2
CSOC CAT #3	1.2	8.75	Diesel Fuel, 0.05%	CSOC CAT #3
LLBld CAT #4	1.2	8.75	Diesel Fuel, 0.05%	LLBld CAT #4
CRC-CAT	1.2	8.75	Diesel Fuel, 0.05%	CRC-CAT
CSOC WH*	0.6	6.9	Propane	CSOC WH*

\*Noted for inventory purposes only (<1.0 MMBtu/hr)

C. Application Classification

The application for L.L. Bean is an amended renewal of a minor source. A new emission unit at a minor source is considered a major modification based on whether or not expected emission increases exceed the "Significant Emission Levels" as given in Maine's Air Regulations. This amended renewal is determined to be a minor modification and has been processed as such.

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## **II. BEST PRACTICAL TREATMENT (BPT)**

### **A. Introduction**

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in Chapter 100 of the Air Regulations. Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for new sources and modifications requires a demonstration that emissions are receiving Best Available Control Technology (BACT), as defined in Chapter 100 of the Air Regulations. BACT is a top-down approach to selecting air emission controls considering economic, environmental and energy impacts.

## **Boilers**

### **B. TYBLR #1, #2 and #3**

TYBLR #1, #2 and #3 were manufactured in 1993 and have heat input capacities of 6.5 MMBtu/hr each, firing 0.5% sulfur #2 fuel oil. They are therefore not subject to the requirements of EPA New Source Performance Standard (NSPS) 40 CFR Part 60, Subpart Dc for boilers between 10 and 100 MMBtu/hr.

BPT for TYBLR #1, #2 and #3 is the following:

- Use of 0.5% sulfur #2 fuel oil.
- SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission rates are based on AP-42 data dated 10/96 for #2 fuel oil fired boilers smaller than 100 MMBtu/hr.
- Emission limits for PM are regulated by MEDEP Regulations, Chapter 103 for #2 fuel oil.
- Visible emissions from the stacks serving TYBLR #1, #2 and #3 (Stack TYBLR #1, #2 and #3, respectively) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1), six (6) minute block average in a three hour period.

### **C. CSOC BLR**

CSOC BLR was manufactured in 1986 and has a heat input capacity of 4.2 MMBtu/hr, firing #2 fuel oil with a maximum sulfur content of 0.5%. It is therefore not subject to EPA New Source Performance Standard (NSPS) 40 CFR Part 60, Subpart Dc for boilers between 10 and 100 MMBtu/hr.

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BPT for CSOC BLR is the following:

- Use of 0.5% sulfur #2 fuel oil.
- SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission rates are based on AP-42 data dated 10/96 for #2 fuel oil fired boilers smaller than 100 MMBtu/hr.
- Emission limits for PM are regulated by MEDEP Regulations, Chapter 103 for #2 fuel oil.
- Visible emissions from the stacks serving CSOC BLR (Stack CSOC BLR) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1), six (6) minute block average in a three hour period.

**D. Bld D BLR #2 and #3**

Bld D BLR #2 and #3 were manufactured in 2001 and have a heat input capacity of 1.49 MMBtu/hr each. Each fires #2 fuel oil with a maximum sulfur content of 0.5%. It is therefore not subject to EPA New Source Performance Standard (NSPS) 40 CFR Part 60, Subpart Dc for boilers between 10 and 100 MMBtu/hr.

BACT for Bld D BLR #2 and #3 is the following:

- The use of #2 fuel oil with a sulfur content not to exceed 0.35% is considered BACT. However, it is determined that the instillation of a new tank for this fuel is cost prohibitive. Therefore, the use of 0.5% sulfur #2 fuel oil shall be considered BACT.
- SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission rates are based on AP-42 data dated 10/96 for #2 fuel oil fired boilers smaller than 100 MMBtu/hr.
- A BACT PM emission factor of 0.08 lb PM/MMBtu shall be used.
- Visible emissions from the stack serving Bld D BLR #2 and #3 (Stacks Bld D BLR #2 and #3, respectively) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1), six (6) minute block average in a three hour period.

**Emergency Generators**

**E. TY CAT #1 and TY CAT #2**

The emergency generators (TY CAT#1 and TY CAT#2) have a heat input capacity of 7.7 MMBtu/hr each, firing 0.05% sulfur diesel fuel.

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BPT for CAT#1 and CAT#2 is the following:

- Use of 0.05% sulfur diesel fuel and a limit of 100 hours/generator/year based on a 12 month rolling total.
- SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission rates are based on AP-42 data dated 10/96 for diesel units larger than 600 hp.
- Emission limits for PM are regulated by MEDEP Regulations, Chapter 103 for diesel fuel.
- Visible emissions from the stacks serving TY CAT #1 and TY CAT #2 (Stacks TY CAT #1 and TY CAT #2, respectively) shall not exceed an opacity of 20 percent on a six (6) minute block average basis, except for no more than two (2), six (6) minute block averages in a 3-hour period.

“Emergency” is defined in Chapter 100 and throughout this document as: “... any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology based emission limitation under the license, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.”

**F. CSOC CAT #3, LLBld CAT #4, and CRC-CAT**

The emergency generators CSOC CAT #3, LLBld CAT #4, and CRC-CAT have a heat input capacity of 1.2 MMBtu/hr each, firing 0.05% sulfur diesel fuel.

BACT for CAT#1 and CAT#2 is the following:

- Use of 0.05% sulfur diesel fuel and a limit of 100 hours/generator/year based on a 12 month rolling total.
- SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission rates are based on AP-42 data dated 10/96 for diesel units less than 600 hp.
- A BACT PM emission factor of 0.12 lb PM/MMBtu shall be used.
- Visible emissions from the stacks serving CSOC CAT #3, LLBld CAT #4, and CRC-CAT (Stacks CSOC CAT #3, LLBld CAT #4, and CRC-CAT, respectively) shall not exceed an opacity of 20 percent on a six (6) minute block average basis, except for no more than two (2), six (6) minute block averages in a 3-hour period.

“Emergency” is defined in Chapter 100 and throughout this document as: “... any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology based emission limitation under the license, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.”

G. Parts Washers

L.L. Bean has four Parts Washers in operation at the Casco Street Campus. The solvents used (Ozzy Juice and TASC) are non-VOC solvents. Records shall be kept of the solvent added and removed.

H. Annual Emission Restrictions

L.L. Bean shall be restricted to the following annual emissions, based on a 12 month rolling total firing no more than:

- 250,000 gallons per year of 0.5% sulfur #2 fuel oil.
- 55,000 gallons per year of 0.05% sulfur diesel fuel.

**Total Allowable Annual Emission for the Facility**  
(used to calculate the annual license fee)

Emission Unit	PM	PM <sub>10</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
All Boilers firing #2 oil	2.10	2.10	8.81	2.50	0.63	0.07
TY CAT #2, and #3	0.18	0.18	0.08	4.93	1.31	0.14
CSOC CAT #3, LLBld CAT #4, and CRC-CAT	0.06	0.06	0.03	2.38	0.51	0.19
<b>Total</b>	<b>2.34</b>	<b>2.34</b>	<b>8.92</b>	<b>9.81</b>	<b>2.45</b>	<b>0.40</b>

Note – Generator emissions are based on 100 hrs of operating time per year, each.

**III. AMBIENT AIR QUALITY ANALYSIS**

According to the Maine Regulations Chapter 115, the level of air quality analyses required for a minor new source shall be determined on a case-by case basis.

Based on the information available in the file, and the similarity to existing sources, Maine Ambient Air Quality Standards (MAAQS) will not be violated by this source.

## ORDER

Based on the above Findings and subject to conditions listed below, the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-59-71-J-R/A subject to the following conditions:

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (Title 38 MRSA §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [MEDEP Chapter 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [MEDEP Chapter 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [MEDEP Chapter 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353. [MEDEP Chapter 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [MEDEP Chapter 115]

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- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [MEDEP Chapter 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [MEDEP Chapter 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [MEDEP Chapter 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [MEDEP Chapter 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
  - A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    2. pursuant to any other requirement of this license to perform stack testing.
  - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - C. submit a written report to the Department within thirty (30) days from date of test completion.[MEDEP Chapter 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:



- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
  - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
  - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions. [MEDEP Chapter 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [MEDEP Chapter 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [MEDEP Chapter 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [MEDEP Chapter 115]

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**SPECIFIC CONDITIONS**

**Boilers**

**(16) TYBLR #1, TYBLR #2 and TYBLR #3**

- A. TYBLR #1, TYBLR #2 and TYBLR #3 shall fire #2 fuel oil, with a sulfur content not to exceed 0.5%. [MEDEP Chapter 115, BPT]
- B. Fuel use records shall be maintained (12 month rolling total) documenting quantity received and sulfur content. [MEDEP Chapter 115, BPT]
- C. Emissions shall not exceed the following: [MEDEP Chapter 103, Chapter 115, BPT]

**TYBLR #1, TYBLR #2 and TYBLR #3 Emission Limits (per unit)**

<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>lb/hr</u>
PM	0.12	0.78
PM <sub>10</sub>	-	0.78
SO <sub>2</sub>	-	3.27
NO <sub>x</sub>	-	0.93
CO	-	0.23
VOC	-	0.03

- D. Visible emissions from the stacks serving TYBLR #1, TYBLR #2 and TYBLR #3 (Stacks TYBLR #1, TYBLR #2 and TYBLR #3, respectively) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1), six (6) block average in a three hour period. [MEDEP Chapter 101]

**(17) CSOC BLR**

- A. CSOC BLR shall fire #2 fuel oil, with a sulfur content not to exceed 0.5%. [MEDEP Chapter 115, BPT]
- B. Fuel use records shall be maintained (12 month rolling total) documenting quantity received and sulfur content. [MEDEP Chapter 115, BPT]
- C. Emissions shall not exceed the following: [MEDEP Chapter 103, Chapter 115, BPT]

**CSOC BLR Emission Limits**

<u>Pollutant</u>	<u>lb/MMBtu</u>	<u>lb/hr</u>
PM	0.12	0.50
PM <sub>10</sub>	-	0.50
SO <sub>2</sub>	-	2.12
NO <sub>x</sub>	-	0.60
CO	-	0.15
VOC	-	0.02

- D. Visible emissions from the stacks serving CSOC BLR (Stack CSOC BLR) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1), six (6) block average in a three hour period. [MEDEP Chapter 101]

(18) **Bld D BLR #2 and Bld D BLR #3**

- A. Bld D BLR #2 and Bld D BLR #3 shall fire #2 fuel oil, with a sulfur content not to exceed 0.5%. [MEDEP Chapter 115, BACT]
- B. Fuel use records shall be maintained (12 month rolling total) documenting quantity received and sulfur content. [MEDEP Chapter 115, BACT]
- C. Emissions shall not exceed the following: [MEDEP Chapter 115, BACT]

**Bld D BLR #2 and Bld D BLR #3 Emission Limits (per unit)**

<u>Pollutant</u>	<u>lb/hr</u>
PM	0.12
PM <sub>10</sub>	0.12
SO <sub>2</sub>	0.75
NO <sub>x</sub>	0.21
CO	0.05
VOC	0.01

- D. Visible emissions from the stacks serving Bld D BLR #2 and Bld D BLR #3 (Stacks Bld D BLR #2 and Bld D BLR #3, respectively) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than one (1), six (6) block average in a three hour period. [MEDEP Chapter 101]

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**Emergency Generators**

**(19) TY CAT #1 and TY CAT #2**

- A. Emergency generators TY CAT #1 and TY CAT #2 shall fire Diesel Fuel with a sulfur content not to exceed 0.05%. [MEDEP Chapter 115, BPT]
- B. Each generator (TY CAT #1 and TY CAT #2) shall be limited to 100 hours per year of operation based on a 12 month rolling total. An operation log and hour meters shall be utilized for compliance purposes. [MEDEP Chapter 115, BPT]
- C. Fuel use records, documenting quantity received and sulfur content, shall be maintained on a monthly basis, in addition to the 12 month rolling total. [MEDEP Chapter 115, BPT]
- D. Emissions shall not exceed the following: [MEDEP Chapter 103, Chapter 115, BPT]

**TY CAT #1 and TY CAT #2 Emission Limits (per unit)**

<u>Pollutant</u>	<u>Lb/MMBtu</u>	<u>lb/hr</u>
PM	0.12	0.92
PM <sub>10</sub>	-	0.92
SO <sub>2</sub>	-	0.40
NO <sub>x</sub>	-	24.64
CO	-	6.55
VOC	-	0.69

- E. Visible emissions from the stacks serving generators TY CAT #1 and TY CAT #2 (Stacks TY CAT #1 and TY CAT #2, respectively) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in a 3-hour period. [MEDEP Chapter 101]

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**(20) CSOC CAT #3, LLBld CAT #4, and CRC-CAT**

- A. Emergency generators CSOC CAT #3, LLBld CAT #4, and CRC-CAT shall fire Diesel Fuel with a sulfur content no to exceed 0.05%. [MEDEP Chapter 115, BACT]
- B. Each generator (CSOC CAT #3, LLBld CAT #4, and CRC-CAT) shall be limited to 100 hours per year of operation based on a 12 month rolling total. An operation log and hour meters shall be utilized for compliance purposes. [MEDEP Chapter 115, BACT]
- C. Fuel use records, documenting quantity received and sulfur content, shall be maintained on a monthly basis, in addition to the 12 month rolling total. [MEDEP Chapter 115, BACT]
- D. Emissions shall not exceed the following: [MEDEP Chapter 115, BACT]

**CSOC CAT #3, LLBld CAT #4, and CRC-CAT Emission Limits (per unit)**

<u>Pollutant</u>	<u>lb/hr</u>
PM	0.14
PM <sub>10</sub>	0.14
SO <sub>2</sub>	0.06
NO <sub>x</sub>	5.29
CO	1.14
VOC	0.42

- E. Visible emissions from the stacks serving generators CSOC CAT #3, LLBld CAT #4, and CRC-CAT (Stacks CSOC CAT #3, LLBld CAT #4, and CRC-CAT, respectively) shall not exceed 20% opacity on a six (6) minute block average basis, except for no more than two (2) six (6) minute block averages in a 3-hour period. [MEDEP Chapter 101]
- (21) L.L. Bean shall be restricted to the following annual fuel use, based on a 12 month rolling total. Fuel records documenting quantity received and sulfur content, shall be maintained for compliance purposes. [MEDEP Chapter 115, BPT]
- 250,000 gallons per year of 0.5% sulfur content #2 fuel oil.
  - 55,000 gallons per year of 0.05% sulfur content diesel fuel.

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(22) **Parts Washers**

The parts washers are subject to the operational and record keeping requirements of MEDEP Chapter 130 which include, but are not limited to, the following:

- A. L.L. Bean shall keep records of the amount of solvent added to each parts washer.
- B. L.L. Bean shall equip each cold cleaning degreaser with a cover that is easily operated with one hand if:
  - 1. the solvent vapor pressure is greater than 15 millimeters of mercury measured at 100 °F by ASTM D323-89; or,
  - 2. the solvent is agitated; or,
  - 3. the solvent is heated.
- C. L.L. Bean shall attach a permanent conspicuous label to each unit summarizing the following operational standards [MEDEP Chapter 130]:
  - 1. Close the covers (if required by (1) above) on all solvent degreasing tanks when the tanks are not in use;
  - 2. Drain the cleaned parts for at least fifteen (15) seconds or until dripping stops;
  - 3. If used, supply a solvent spray that is a solid fluid stream (not a fine, atomized or shower-type spray) at a pressure that does not exceed ten (10) pounds per square inch gauge pressure (psig);
  - 4. Do not degrease porous or absorbent materials, such as cloth, leather, wood or rope;
  - 5. Minimize drafts to less than 40 meters/minute; and
  - 6. Refrain from operating the cold cleaning degreaser upon the occurrence of any visible solvent leak until such leak is repaired.
- D. L.L. Bean shall not use any halogenated solvents in the degreasing tanks. [MEDEP Chapter 115, BPT]

- (23) L.L. Bean shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (Title 38 MRSA §605).

(24) **Payment of Annual License Fee**

L.L. Bean shall pay the annual air emission license fee within 30 days of **August, 31st** of each year. Pursuant to 38 MRSA §353-A, failure to pay this annual fee in the stated timeframe is sufficient grounds for revocation of the license under section 341-D, subsection 3. [38 MRSA §353-A]

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DONE AND DATED IN AUGUSTA, MAINE THIS            DAY OF            2004.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: \_\_\_\_\_  
DAWN R. GALLAGHER, COMMISSIONER

The term of this Order shall be for five (5) years from the signature above.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 1/28/2004

Date of application acceptance: 2/9/2004

Date filed with the Board of Environmental Protection: \_\_\_\_\_

This Order prepared by Jonathan Voisine, Bureau of Air Quality